

Case No. 4:24-CV-00161-M-RJ

Defendant.

A magistrate judge’s recommendation carries no presumptive weight. The court “may accept, reject, or modify, in whole or in part, the . . . recommendation[ ] . . . receive further evidence or recommit the matter to the magistrate judge with instructions.” 28 U.S.C. § 636(b)(1); *accord Mathews v. Weber*, 423 U.S. 261, 271 (1976). The court “shall make a de novo determination of

those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* § 636(b)(1). Absent a specific and timely objection, the court reviews only for “clear error” and need not give any explanation for adopting the recommendation. *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

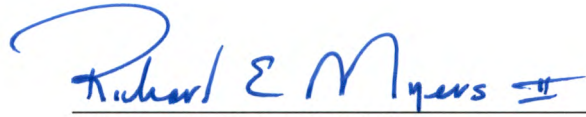
Defendant makes no objection to any specified finding or recommendation by Judge Jones. Rather, Defendant “clarifies” that the basis for removal is the alleged violation of his constitutional rights that appear to have occurred during criminal proceedings brought against him, and he attaches copies of documents he believes support proper removal. The court has reviewed the M&R and finds no error nor any finding or conclusion that is contrary to law. As the removed case involves no claims or defenses by the Defendant implicating this court’s subject-matter jurisdiction, Defendant fails to demonstrate that any objection to the M&R should be sustained.

Therefore, upon de novo review of the M&R and the record presented, and finding no error, the court ADOPTS the recommendation of the magistrate judge as its own. For the reasons stated therein, Defendant’s objection to the M&R is OVERRULED and, to the extent any state court matter listed by Defendant has been actually removed, it is REMANDED to the state court(s) from whence it originated.

Typically, the court would close this case. However, Defendant has also recently filed a document [DE 9] liberally construed as a Complaint alleging violations of Defendant’s constitutional rights. The document appears to be related to the matters raised by Defendant in his attempted removal; thus, the court will accept the filing in this case and direct the Clerk of the Court to modify the case caption, cause, and nature on the case docket. The matter is referred to Judge Jones pursuant to 28 U.S.C. § 1915 for a frivolity review, in accordance with all applicable

federal and local rules.

SO ORDERED this 3<sup>rd</sup> day of January, 2025.



RICHARD E. MYERS II  
CHIEF UNITED STATES DISTRICT JUDGE